

AFFIDAVIT

Sheriff's
Polk County



Office
Winter Haven, FL

FORM #9013A - Revised 05/27/10

Agency ORI Number
FL0530000

INCIDENT NUMBER
130019828

JUVENILE

☒

ADULT

BOOKING #

OBITS#

IN CIRCUIT/COUNTY COURT IN THE TENTH JUDICIAL CIRCUIT IN AND FOR POLK
COUNTY, FL

SUBMITTING MEMBER _____ MEMBER # _____

DATE /TIME OF ARREST/INCIDENT 7/2/2013 18:19:00

LOCATION OF INCIDENT 1891 JIM KEENE BL WINTER HAVEN

NOTICE TO APPEAR

☒

COMPLAINT AFFIDAVIT

ARREST REPORT

CITY OF WINTER HAVEN(Unincorporated), COUNTY OF POLK, STATE OF FLORIDA

RIGHT THUMB PRINT

THE UNDERSIGNED AFFIANT SWEARS SHE/HE HAS JUST AND REASONABLE GROUNDS TO BELIEVE THAT ON

06/22/13 AT

APPROXIMATELY 10:00:00 IN THE VICINITY OF WINTER HAVEN POLK COUNTY, FLORIDA

POSTELL, MONTAVIUS RAKEEM

ALIAS KING

LAST FIRST MIDDLE

ADDRESS 716 IBSEN AV ORLANDO, FL 23809

PHONE

RACE/SEX B/M DOB 6/29/1991 HT 602 WT 170 EYE BRO HAIR BLK COMP MBR BUILD Medium

SPEECH SLR SCARS TAT FACE, TAT FACE, TAT FACE POB , FL MARITAL STATUS SINGLE

DL# _____ ST FL SS# _____ OCCUPATION _____

EMPLOYER/SCHOOL UNEMPLOYED

PHONE

JUV-PARENTS

PHONE

n/a

NOTICE TO APPEAR/OF APPOINTMENT

I AGREE TO APPEAR IN COURT/JAC AT _____, FLORIDA ON
_____ 20 _____ AT _____ AM/PM TO ANSWER THE CHARGE(S) IN THIS COMPLAINT OR
TO PAY THE PRESCRIBED FINE FOR THIS OFFENSE. I UNDERSTAND THAT A WILFUL FAILURE TO APPEAR WILL RESULT IN A WARRANT
FOR MY ARREST AND MAY BE A NEW OFFENSE (DO NOT BE LATE).

Defendant/Violators Signature

Parent/Guardian Signature

Date

COMMITTED THE OFFENSE(S) OF:

Human Trafficking forced Sex Trade <18yoa	FSS/FAC/CO	787.06(3)(G) Counts:	LEVEL/DEGREE	F1
Lewd Lascivious Battery to Vict. age 12-16	FSS/FAC/CO	800.04(4)(A) Counts:	LEVEL/DEGREE	F2
Promote Sex Activity Victim <16 YOA	FSS/FAC/CO	800.04(4)(B) Counts:	LEVEL/DEGREE	F2

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06/22/13 AT

APPROXIMATELY 10:00:00

IN THE VICINITY OF WINTER HAVEN

POLK COUNTY, FLORIDA

KEMPFER, MICHAEL KERRY

ALIAS

LAST

FIRST

MIDDLE

ADDRESS 716 IBSEN AV ORLANDO, FL 32809

PHONE

RACE/SEX

W/M

DOB

8/13/1964

HT

510

WT

140

EYE

GRN

HAIR

BLD

COMP

BUILD

Thin

SPEECH

NOR

SCARS

POB

VA

MARITAL STATUS

DIVORCED

DL#

ST FL

SS#

OCCUPATION

EMPLOYER/SCHOOL

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FSS/FAC/CO

787.06(3)(G) Counts:

LEVEL/DEGREE F1

**AFFIDAVIT
CONTINUATION**

**Sheriff's
Polk County**



**Office
Winter Haven, FL**

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Agency ORI Number
FL0530000

INCIDENT NUMBER
130019828

CO-DEFENDANT:

Codefendant: **KEMPFER,MICHAEL KERRY**

VICTIM/WITNESS:

Victim:

Victim:	PCSO STATE OF FLORIDA	/				N/A
Witness	DET GAMPFER,RYAN ORANGE COUNTY S.O.	2500 COLONIAL DR	ORLANDO	FL	32804	(407)254-7000
Witness	SGT SPALL,DAVE	2500 COLONIAL DR W	ORLANDO	FL	32804	(407)254-7000
Witness	OFC WATERS,GREG	2450 33RD ST	ORLANDO	FL	32839	N/A
Witness	DD BUCHAN,SUMMER 7037	1891 JIM KEENE BL	WINTER HAVEN	FL	33880	N/A
Witness	DET GAMPFER,MICHAEL RYAN WEST	2500 COLONIAL DR	ORLANDO	FL	32804	(407)254-7000
Witness	DET OWENS,TANNER,7240	1891 JIM KEENE BL	WINTER HAVEN	FL	33880	(863)298-6200
Witness	DET MAGYAROSI,TODD 5579	1891 JIM KEENE BL	WINTER HAVEN	FL	33880	(863)298-6200
Witness	DET LESLIE,PAUL,4458	1891 JIM KEENE BL	WINTER HAVEN	FL	33880	N/A

PROBABLE CAUSE:

Beginning on or around 12/31/12 and continuing through and including May 08, 2013, Montavius Rakeem Postell, DOB 06/29/1991 hereinafter referred to as "Postell" and Michael Kempfer dob 8/13/1964 hereinafter referred to as "Kempfer" did intentionally coerce K.H., a minor, hereinafter referred to as "the victim" and did engage in human trafficking of the victim by using or threatening to use physical force. Specifically;

During an interview conducted by your affiant, the victim indicated she met Postell on 12/31/12 in the area of the Inn-Town Suites motel, located at 7100 S. Orange Blossom Trail, Orlando, FL. The victim described her meeting Postell where he enticed her to go to his motel room where they engaged in sexual intercourse. The victim further stated Postell took her to other areas of the state of Florida, including but not limited to, Miami, Ft. Lauderdale and Tampa to engage in the commercial sex trade and work as a prostitute. The victim advised her first trip to Miami-Dade county was on or around January 3rd, 2013. She further alleged she was in Hillsborough County in May, 2013. The victim further alleged she travelled to several counties at least once a month between January and May 2013. The May 2013 trip to Hillsborough County was corroborated by text messages retrieved from her phone after the execution of a search warrant. The victim was arrested in Polk County, Florida on May 8, 2013. During a post Miranda interview with Kempfer who was arrested after being observed driving into the parking lot by perimeter detectives, he stated he was to be paid "\$20 or \$30 dollars" for driving the girl. He stated he "figured" she was a prostitute and stated he "was pretty sure" she was not 18 years of age.

The victim stated if she attempted to not answer her telephone to engage in the commercial sex trade Postell physically beat her. The victim stated he beat her on a regular basis, both with an open hand, and a closed fist for various reasons, including but not limited to failing to answer her phone to schedule prostitution "dates", and having prostitution "dates" with black males as customers. During text messaging from the victim to Postell's cellular phone messages were located by this affiant where the victim tells Postell he could hit her all he wanted, she just wanted to spend time with him. The same string of text messages indicated the victim was working as a prostitute in Tampa at the La Quinta Inn on Fowler Avenue and Postell was in the area spending time in another room with another female.

During the course of this investigation your affiant obtained a copy of a recorded jail phone call from the Orange County Jail. The call was marked as being made on 03/22/2013 at approximately 0355 hours and is identified by recording number 270768575098891.wav.

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During an interview with the victim on 06/05/13 she identified the voices on the call as being her own, and that of Postell. The victim stated the phone call took place while she was working as a prostitute. During the call Postell can be heard asking how much money the victim, and another female working with the victim, had made to put towards his bail. The victim asked Postell for clarification about what he wanted them to do with the money. Postell stated the money was to be used to pay his bond.

Also within the previous verbal transaction Postell acknowledges the victim cannot sign for his bond, indicating he knew the victim was below the age of 18.

I reviewed a phone call which was stamped as being made on 03/22/13 at approximately 0427 hours and identified as recording number 270768575499275.wav from the Orange County Jail. During this call the victim tells Postell she wasn't sure she was going to be able to "do that shit", indicating working as a prostitute to raise his bond money. At 4m:38s during the call Postell can be heard telling the victim he was proud of her for doing it. At 13m:22s the victim again reminded Postell she didn't think she would be able to accomplish the goal. It seemed the victim was trying to get Postell to appreciate her efforts. At 13:22 Postell can be heard telling the victim he "expected" the victim to work as a prostitute.

It is known from information provided and by physical surveillance Postell resides at 716 Ibsen Ave, Orlando, FL which is recorded in the public records as the residence of and belonging to Michael Kempfer. Investigation has also revealed at least three prostitutes have resided at the same home during the month of March, 2013. The vehicle of another known prostitute was observed at the residence on 06/19/13 by Det. Ryan Gampfer of the Orange County Sheriff's Office. During a post-Miranda interview on 06/21/13 Kempfer acknowledged Postell paid the bills at the residence with monies gained through work conducted by known and suspected prostitution. Postell has no identifiable legitimate source of income.

According to the victim, Postell also gave her drugs to maintain control of the victim while he was away. The victim alleged Postell provided her with marijuana so she didn't call him to find out where he was while he was out of the residence.

Further, while reviewing recorded jail phone calls made on 03/22/13 while incarcerated at the Orange County Jail a conversation between the victim and Postell took place where the Postell stated he felt the victim might be pregnant. The victim tells Postell if she was pregnant the baby would be his. During an interview with the victim she stated she and Postell had sexual intercourse approximately 20 times. She had also stated Postell did not like to wear a condom during sex.

You affiant believes Postell and Kempfer knew the victim was under the age of 18 based on Postell's and Kempfer's own personal observations of the victim between the months of January 2013 and May 2013. During that time the victim, Kempfer and Postell are known to have resided together between the months of March 2013 and May 2013. The victim turned 16 while in custody in Polk County on 05/18/13. The victim was 15 years old during the time she spent with Postell working as a prostitute at his direction and coercion through the use of drugs, physical violence, and withholding funds from the victim, and when Postell and the victim engaged in sexual intercourse. Postell was over the age of 18 at the time of these alleged offenses.